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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA --SAN FRANCISCO DIVISION**

ABDI NAZEMIAN, BRIAN KEENE, and
STEWART O'NAN, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

NVIDIA CORPORATION,

Defendant.

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Attorneys for Defendant NVIDIA Corporation

Case No. 4:24-cv-01454-JST

**JOINT STIPULATION AND [PROPOSED]
ORDER TO RESCHEDULE CASE
MANAGEMENT CONFERENCE
PURSUANT TO CIVIL LOCAL RULE 6-2**

Judge: Hon. Jon S. Tigar
Courtroom: 6 – 2nd Floor
Action Filed: March 8, 2024

Case No. 4:24-cv-01454-JST

1 ANDRE DUBUS III and SUSAN ORLEAN,
2 individually and on behalf of all others similarly
3 situated,

Plaintiffs,

4 v.

5 NVIDIA CORPORATION,

Defendant.

Case No. 4:24-cv-02655-JST

Judge: Hon. Jon S. Tigar
Courtroom: 6 – 2nd Floor

Action Filed: May 2, 2024

Pursuant to Civil Local Rule 6-2, Plaintiffs Abdi Nazemian, Brian Keene, and Stewart O’Nan (the “*Nazemian* Plaintiffs”), Plaintiffs Andre Dubus III and Susan Orlean (the “*Dubus* Plaintiffs”) (collectively, the “Plaintiffs”) and Defendant NVIDIA Corporation (“NVIDIA”) (collectively, the “Parties”), by and through their respective counsel of record, enter into this stipulation pursuant to Civil Local Rule 6-2 and request an order to reschedule the Case Management Conference and the corresponding deadline for the Case Management Statement, with reference to the following circumstances:

1. WHEREAS, the *Nazemian* Plaintiffs filed their Complaint on March 8, 2024 (*Nazemian* ECF No. 1);

2. WHEREAS, on March 18, 2024, the Court set the *Nazemian* initial Case Management Conference for June 18, 2024, at 2:00 P.M. with the Case Management Statement due on June 11, 2024 (*Nazemian* ECF No. 22);

3. WHEREAS, on May 24, 2024, Defendant timely filed its Answer to the *Nazemian* Complaint (*Nazemian* ECF No. 38);

4. WHEREAS, on May 2, 2024, the *Dubus* Plaintiffs filed their Complaint (*Dubus* ECF No. 1);

5. WHEREAS, per stipulation, the deadline for NVIDIA to respond to the *Dubus* Complaint is July 1, 2024 unless otherwise extended (stipulation approved by the Court at *Dubus* ECF No. 26);

6. WHEREAS, on May 29, 2024, the Court judicially related *Nazemian* and *Dubus* (*Nazemian* ECF No. 47; *Dubus* ECF No. 17);

7. WHEREAS, on May 29, 2024, the Court set the *Dubus* initial Case Management Conference via Zoom for June 18, 2024, at 2:00 P.M. with the Case Management Statement due on June 11, 2024, which are the same dates and times as in *Nazemian*;

8. WHEREAS, the *Nazemian* Plaintiffs have a scheduling conflict at 2:00 P.M. on June 18, 2024, that requires that the Case Management Conference be rescheduled, *see* accompanying Declaration of Joseph R. Saveri, dated June 4, 2024 (the “Saveri Decl.”), ¶ 8;

9. WHEREAS, the Parties in both actions have met and conferred, and all are available to

1 attend a rescheduled Case Management Conference on July 16, 2024, at 2:00 P.M., should the Court be
2 available at that date and time, with the Case Management Statement due one week prior to that
3 Conference, on July 9, 2024, *see* Saveri Decl. ¶ 9;

4 10. WHEREAS, this request to reschedule the Case Management Conference and the deadline
5 for the Case Management Statement will not alter or otherwise impact the date of any other event or
6 deadline already fixed by Court order;

7 11. WHEREAS, this stipulation is made in good faith and not for the purposes of any delay,
8 and will not prejudice any party or the Court;

9 12. WHEREAS, this joint stipulation to move the CMC will enhance judicial efficiency;

10 13. WHEREAS, the Parties are conferring to schedule the Rule 26(f) conference on or about
11 June 13, 2024;

12 THE PARTIES HEREBY STIPULATE, AGREE, AND REQUEST, that the Court issue a
13 scheduling order as follows:

14 A. The Case Management Conference for *Nazemian* and *Dubus* is rescheduled for July 16, 2024,
15 at 2:00 PM (or the next date that the Court is available).

16 B. The Parties shall submit a joint Case Management Statement by no later than one week earlier,
17 which is July 9, 2024.

18 The Parties submit the accompanying declaration of Joseph R. Saveri in support hereof and
19 respectfully request that the Court enter the attached proposed order.
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1 Dated: June 4, 2024

Respectfully submitted,

2 By: /s/ Joseph R. Saveri

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Attorneys for the Nazemian Plaintiffs and the Proposed Class

1 Dated: June 4, 2024

Respectfully submitted,

2 By: /s/ David Straite

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Counsel for the Dubus Plaintiffs and Proposed Class

1 Dated: June 4, 2024

Respectfully Submitted,

2 By: /s/ Andrew H. Schapiro

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23 *Attorneys for Defendant NVIDIA Corporation*

[PROPOSED] ORDER

PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED.

Dated: _____

The Honorable Jon S. Tigar
U.S. District Court Judge

ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)

The filer attests that the other signatories listed, on whose behalf the filing is also submitted, are registered CM/ECF filers and concur in the filing's content and have authorized the filing.

Dated: June 4, 2024

/s/ Joseph R. Saveri
Joseph R. Saveri